

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:	Case No. 15-20353 CMB
	:	
Barry R. Henderson,	:	Chapter 13
	:	
Debtor.	:	Document No.
	:	
Barry R. Henderson,	:	Related to Claim No. 3-1
	:	
Movant,	:	
	:	
vs.	:	
	:	
Carrington Mortgage Services, LLC and	:	
Ronda J. Winnecour, Chapter 13 Trustee,	:	
	:	
Respondents.	:	

ORDER

AND NOW, this _____ day of October, 2020, based upon the objection of Debtor, Barry R. Henderson, to the Notice to Mortgage Payment Change of Carrington Mortgage Services, LLC, it is hereby ORDERED that the Notices of Mortgage Payment Change filed May 14, 2020, August 5, 2020, both effective July 20, 2020, and related to claim 3-1 are determined to be invalid and unenforceable and are stricken.

It is further ORDERED that the \$1,807.28 paid by the mortgage lender in September 2019, to pay for 2017 property tax was solely the responsibility of the mortgage lender and cannot be passed on to the Debtor now or at any time in the future.

It is further ORDERED that the mortgage lender's inclusion of this amount in a mortgage payment change is contrary to the parties prior agreements and the statement it had filed in this case on April 30, 2020. Accordingly, this Court awards Debtor the sum of \$1,000.00 as a sanction plus \$1,500.00 to be paid to Debtor's counsel for attorney fees incurred in the review and response to these Notices. Separate checks are to be sent to Debtor's counsel within 10 days of this Order.

Prepared by Daniel R. White, Esq.

BY THE COURT:

Judge